

## WHO ARE WE AND WHAT DO WE DO?

Under Safe Drinking Water Act (SDWA) authority, UIC's mission is to protect underground sources of drinking water (USDW) from contamination by regulating the construction and operation of six classes of injection wells

- Class I, hazardous and non-hazardous waste disposal below all USDWs.
- Class II, injection of fluids associated with oil and gas production.
- Class III, solution mining of underground minerals (e.g., uranium).
- Class IV, injection of hazardous waste into or above USDWs (banned).
- Class V, experimental or "other".
- Class VI, injection for the purpose of geologic sequestration of carbon dioxide.

We directly implement UIC programs in Region 8 Indian Country for all well classes, and for non-Class II wells in Colorado, Montana, and South Dakota primarily through energy-related permitting. We also conduct oversight of ten state and tribal UIC programs which includes review and dis/approval of aquifer exemptions.

## WHAT WORK GETS US NOTICED

Some of the energy-related projects we permit are controversial due to heightened public (e.g., tribal) concerns over potential impacts to groundwater and historical and/or cultural resources. In reviewing some aquifer exemptions, we must make technically complex decisions on whether an aquifer proposed for injection serves as a current source of drinking water or whether it may serve as a future source of drinking water. While we oversee mature state UIC programs, we sometimes find significant implementation deficiencies that must be addressed. Finally, we have and will continue to receive and review for dis/approval, Class VI primacy applications from our states.

## 30/60/90 DAYS

### 30 Days

We will be proposing to issue for public comment EPA's first in the nation Class I, III, V permits and aquifer exemption for regulating the in-situ recovery (ISR) of uranium for the proposed Dewey Burdock project southwest of the Black Hills in South Dakota. We expect to receive comments from a variety of stakeholders, some of whom may appeal our subsequent final permit and AE decisions. These stakeholders include several tribal nations who consider the project area to be historically sacred and with whom we have formally consulted.

### 60 days

We will be releasing findings from our 2015 in-depth review of the North Dakota Industrial Commission's (NDIC) Class II injection well program. We found a number of areas where the State is not implementing its program consistent with its MOA with EPA, regulations, procedures and policies. These included: 1) lack of full access to State records; 2) not reporting all violations (including SNCs) to EPA; 3) not properly documenting maximum allowable injection pressures; 4) failing to require monthly maximum injection pressures or alternatively, fully documenting how reporting of monthly average injection pressures are protective of USDWs; 5) lack of standard operational procedures for a number of regulatory practices; 6) failure to timely enforce well mechanical integrity testing requirements; and 7) failure to collect economic benefit and gravity component penalties for violations. We intend to work with the NDIC to ensure that timely corrective action will be taken to address these deficiencies.

### 90 Days

We expect to receive parts of an informal Class VI primacy application from the Department of Environmental Quality for regulating the geo-sequestration of carbon dioxide in Wyoming. Based on our experience with reviewing a similar application from the NDIC three years ago, this will require a significant investment of staff time and expertise to review prior to the State submitting a formal application to EPA for approval through the Administrator.